

UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF MISSOURI
EASTERN DIVISION

JOHN MCCALL,

Plaintiff,

vs.

MONRO MUFFLER BRAKE, INC. d/b/a,
AUTOTIRE CAR CARE CENTER

Defendant.

Case No. 4:10CV269 HEA

CASE MANAGEMENT ORDER - TRACK 2: STANDARD

Pursuant to the Civil Justice Reform Act Expense and Delay Reduction Plan and the Differentiated Case Management Program of the United States District Court of the Eastern District of Missouri, and the Rule 16 Conference held on **December 8, 2010**,

IT IS HEREBY ORDERED that the following schedule shall apply in this case, and will be modified only upon a showing of exceptional circumstances:

I. SCHEDULING PLAN

1. This case has been assigned to Track 2 (Standard).
2. All motions for joinder of additional parties or amendment of pleadings shall be filed no later than **April 4, 2011**.
3. Disclosure shall proceed in the following manner:
 - (a) The parties shall make all disclosures required by Rule 26(a)(1), Fed.R.Civ.P., no later than **February 1, 2011**.
 - (b) Plaintiff shall disclose his expert(s) on class certification issues and provide the report(s) by **April 4, 2011**. the deposition(s) of Plaintiff's expert(s) on class certification issues shall be completed by **May 18, 2011**.
 - (c) Defendant shall disclose its expert(s) on class certification issues and provide the report(s) by **June 1, 2011**. The deposition(s) of Defendant's experts(s) on class certification issues shall be completed by **July 15, 2011**.

(d) The presumptive limits of ten (10) depositions per side as set forth in Rule 30(a)(2)(A), Fed.R.Civ.P., and twenty-five (25) interrogatories per party as set forth in Rule 33(a), Fed.R.Civ.P., shall apply.

(e) Requests for physical or mental examinations of parties pursuant to Rule 35, Fed.R.Civ.P., are not anticipated.

(f) The parties shall complete all class related discovery in this case no later than **July 15, 2011**.

(g) Motions to compel shall be pursued in a diligent and timely manner, but in no event filed more than eleven (11) days following the discovery deadline set out above.

4. Plaintiff's class certification motion must be filed no later than **August 1, 2011**. Opposition briefs shall be filed no later than **September 15, 2011**, and any reply brief may be filed no later than **September 30, 2011**.

5. The parties are to jointly submit to the Court a proposed Amended Case Management Order within ten (10) days of the Court's ruling on class certification.

Failure to comply with any part of this Order may result in the imposition of sanctions.

Dated this 8th day of December, 2010.



HENRY EDWARD AUTREY
UNITED STATES DISTRICT JUDGE